

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

UNITED STATES and STATE OF INDIANA
ex rel. JUDITH ROBINSON,

Plaintiffs/Relator,

v.

INDIANA UNIVERSITY HEALTH, INC.
f/k/a CLARIAN HEALTH PARTNERS, INC.
and HEALTHNET, INC.,

Defendants.

Case No. 1:13-cv-2009-TWP-MJD

Judge Tanya Walton Pratt

Magistrate Judge Mark J. Dinsmore

**DEFENDANT INDIANA UNIVERSITY HEALTH, INC.'S
MOTION TO DISMISS THE SECOND AMENDED COMPLAINT**

Pursuant to Federal Rules of Civil Procedure 9(b) and 12(b)(6), Defendant Indiana University Health, Inc. f/k/a Clarian Health Partners, Inc. ("IU Health") moves to dismiss, with prejudice, Counts I and II of the Second Amended Complaint filed by *qui tam* Relator Judith Robinson. For the reasons set forth in the accompanying memorandum of law, the Court should grant this Motion and grant such other and further relief the Court deems necessary and appropriate.

Dated: June 20, 2016

Respectfully submitted,

/s/ Emmett E. Robinson

Stephen G. Sozio (admitted *pro hac vice*)
Emmett E. Robinson (admitted *pro hac vice*)
JONES DAY
North Point
901 Lakeside Avenue
Cleveland, Ohio 44114-1190
Telephone: (216) 586-3939
Facsimile: (216) 579-0212
Email: sgsozio@jonesday.com
erobinson@jonesday.com

Heather M. O'Shea (admitted *pro hac vice*)
JONES DAY
77 West Wacker Drive
Chicago, Illinois 60601-1692
Telephone: (312) 269-4009
Facsimile: (312) 782-8585
Email: hoshea@jonesday.com

Alan L. McLaughlin (#10182-49)
LITTLER MENDELSON, P.C.
111 Monument Circle, Suite 702
Indianapolis, Indiana 46204
Telephone: (317) 287-3600
Facsimile: (317) 636-0712
Email: amclaughlin@littler.com

*Counsel for Defendant Indiana University Health,
Inc. f/k/a Clarian Health Partners, Inc.*

CERTIFICATE OF SERVICE

I certify that on June 20, 2016 a copy of the foregoing Defendant Indiana University Health, Inc.'s Motion To Dismiss the Second Amended Complaint was filed electronically. Service of this filing will be made on all ECF-registered counsel by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Emmett E. Robinson

Emmett E. Robinson

*Counsel for Defendant Indiana University Health,
Inc. f/k/a Clarian Health Partners, Inc.*